GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Prohibition and Excise Department – Surprise Check conducted on the Integrated Check Post Naraharipeta, Chittoor District on 24-11-2015 – Allegations of Corruption – Initiation of Disciplinary Proceedings against Sri D.Dilip Kumar, Proh. and Excise Head Constable, Integrated Check Post, Naraharipeta, Chittoor District under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Article of Charges – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.413 **Dated:09-04-2020**

Read the following:

1. From DG, ACB, Lr.Rc.No.152/DES-TCT/2015, Dt.01-08-2016.
2. From DG, ACB, Lr.Rc.No.152/DES-TCT/2015, Dt.09-03-2020.
3. G.O.Ms.No.105, Revenue (Vig.II) Department, Dt.09-04-2020.

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O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference 3rd read above, it is considered necessary to hold an enquiry against Sri D.Dilip Kumar, Proh. and Excise Head Constable, Integrated Check Post, Naraharipeta, Chittoor District in accordance with procedure laid down in Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri D.Dilip Kumar, Proh. and Excise Head Constable, Integrated Check Post, Naraharipeta, Chittoor District is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri D.Dilip Kumar, Proh. and Excise Head Constable, Integrated Check Post, Naraharipeta, Chittoor District is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Attention of Sri D.Dilip Kumar, Proh. and Excise Head Constable, Integrated Check Post, Naraharipeta, Chittoor District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Contd.,2

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PEEYUSH KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To

Sri D.Dilip Kumar, Proh. and Excise Head Constable, Integrated Check Post, Naraharipeta, Chittoor District (w.e., Annexures-I to IV) through the Commissioner of Prohibition & Excise, Excise Complex, RS – 88-2B, Sai Vihar Apartments, Poultry Forum Road, Prasadampadu (v), Vijayawada (with a request to serve the order on the individual and send the served copy with dated signature to Government)

Copy to

The Commissioner of Prohibition & Excise, Excise Complex, RS – 88-2B, Sai Vihar Apartments, Poultry Forum Road, Prasadampadu (v), Vijayawada.

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi.

The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administration Block, 2nd Floor, Andhra Pradesh, Vijayawada.

The Revenue (Vigilance-IV) Department.

SF / SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-I

ARTICLES OF CHARGES FRAMED AGAINST SRI D.DILIP KUMAR, S/O S.DAMODHAR PILLAI, PROH. AND EXCISE HEAD CONSTABLE, INTEGRATED CHECK POST, NARAHARIPETA, CHITTOOR DISTRICT.

That Sri D. Dilip Kumar, having joined Government service as Prob. And Excise Constbale on 07-02-2002 in Proh. And Excise Department and got promoted as Proh. And Excise Head Constable on 14-05-2011. He worked in the above capacities at various places in Chittoor District. He worked as Proh. And Excise Head Constable, ICP, Naraharipeta, Chittoor Dist. from 23-10-2015 to 24-11-2015 here after called Government Servant.

CHARGE

That, the Government Servant Sri D.Dilip Kumar, while he was working as Proh. and Excise Head Constable, ICP, Naraharipeta Chittoor District from 23-10-2015 to 24-11-2015, he has committed grave misconduct in as much as he was reported for duty at the check post on 23/24-11-2015 and put his initial in Duty Register / Attendance Register of Proh. and Excise Department. On verification of ACB Officials it is found that C.Sankar Reddy was found absent for duty during the surprise check on 24-11-2015 at 00-45 AM, he was absent for duty without any leave or permission from the concerned authorities and thereby contravened Rule 3(1) and (2), 4(i) of AP Civil Services (Conduct) Rules,1964.

Thus, Sri D.Dilip Kumar by his above mentioned acts has exhibited lack of integrity, devotion to duty, conduct unbecoming of a Government servant and thereby contravened Rule 3(1) and (2) 4(i) of AP Civil Services (Conduct) Rules, 1964.

PEEYUSH KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE –II

STATEMENT OF IMPUTATIONS OF MISCONDUCT AND MISBEHAVIOUR IN SUPPORT OF THE DRAFT ARTICLES OF CHARGES FRAMED SRI D.DILIP KUMAR, S/O S.DAMODHAR PILLAI, PROH. AND EXCISE HEAD CONSTABLE, INTEGRATED CHECK POST,NARAHARIPETA, CHITTOOR DISTRICT.

That, Sri D.Dilip Kumar is a native of Mapakshi Village, Chittoor District. His date of birth is 17-04-1977. He entered into Government service as Prob. and Excise Constable on 07-02-2002 in Proh. And Excise Department and got promoted as Proh. And Excise Head Constable on 14-05-2011. He worked in the above capacities at various places in Chittoor District. He worked as Proh. and Excise Head Constable, ICP, Naraharipeta, Chittoor Dist. from 23-10-2015 to 24-11-2015. He was drawing a basic pay of Rs.26,600/- in Scale of Pay Rs.21,230- - 63,010/- as on 24-11-2015 . His superannuation is on 30-04-2037. He is here-in-after referred to as Government Servant.

CHARGE:

That the Government Servant Sri D. Dilip Kumar, while he was working as Proh. and Excise Head Constable, ICP, Naraharipeta, Chittoor Dist., from 23-10- 2015 to 24-11-2015. He has committed grave misconduct in as much as he was reported for duty at the check post on 23/24-11-2015 and put his initial in Duty Register / Attendance Register of Proh. And Excise Department. On verification of ACB Officials it is found that one Rajesh, Proh. and Exdcise Constable is present and singed in the register D.Dilip Kumar was found absent for duty during the surprise check on 24-11-2015 at 00-45 AM, he was absent for duty without any leave or permission from the concerned authorities. Thus, the SO has violated the provisions laid down under Rule 3 (1), & (2) 4(i) of APCS (Conduct) Rules, 1964.

FACTS & EVIDENCE:

During the Surpise Check conducted by a Team of officials of ACB, Tirupati from 00-45 AM to 04-30 AM on 24-11-2015. The Proh. & Excise Head Constable Sri C.Sankar was reported for duty at the check post on 23/24-112015 and put his initial in Duty Register / Attendance Register. On verification of ACB Officials it is found that D.Dilip Kumar was found absent for duty during the surprise check on 24-11-2015 at 00-45 AM, he was absent for duty without any leave or permission from the concerned authorities.

The facts and material gathered so revealed that the Government Servant Sri D. Dilip Kumar, Proh. and Excise Head Constable has committed the grave misconduct.

Thus, the Government Servant Sri D.Dilip Kumar by his above mentioned act has exhibited, lack of integrity, devotion to duty and conduct, unbecoming of Government Servant and there by violated Rule 3(1) and (2) 4(i) of APCS (Conduct) Rules, 1964.

The Government Servant has therefore rendered himself liable for regular Departmental Action.

PEEYUSH KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE —III

LIST OF RECORDS / DOCUMENTS BY WHICH ARTICLES OF CHARGES FRAMED AGAINST SRI D.DILIP KUMAR, S/O S.DAMODHAR PILLAI, PROH. AND EXCISE HEAD CONSABLE, INTEGRATED CHECK POST, NARAHARIPETA, CHITTOOR DISTRICT.

1. Original Surprise Check proceedings drafted on 24-11-2015 from 00-45 AM to 04-30 AM at the Integrated Check Post, C.T. Dept., Naraharipeta, Chittoor Dist.
2. Attendance Register of Excise Department of Integrated Check Post, Naraharipeta, Chittoor Dist.
3. Personal Cash Register of Excise Department of Integrated Check Post, Naraharipeta, Chittoor Dist.
4. Reply letter vide Rc. No.390/2015-A, dt. 14-12-2015 of Excise Supdt., Proh. And Excise, Chittoor.

PEEYUSH KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE —IV

LIST OF WITNESSES BY WHOM ARTICLES OF CHARGES FRAMED AGAINST SRI D.DILIP KUMAR, S/O S.DAMODHAR PILLAI, PROH. AND EXCISE HEAD CONSABLE, INTEGRATED CHECK POST,NARAHARIPETA, CHITTOOR DISTRICT.

1. Saginela Vijaya Kumar, 47y, S/o Late Sikhamani, Prohibition and Excise Inspector, O/o Asst. Commissioner, P & E, Chittoor, N/o D.No.39/589, Aravinda Nagar, Kadapa. Cell No.9491088776. (Mediator)
2. Alidena Kamaraju, 29y, S/o Late A.Subbarayudu, Jr. Assistant, SGS Arts College, Tirupati, R/o D.No.20-1-416-B3, Subhash Nagar, Korlagunta, Tirupati. Cell No. 957331337.(Mediator)
3. Sri A. Sankar Reddy, Dy. Supdt. of Police, Anti-Corruption Bureau, Tirupati Range, Tirupati. (Investigating Officer)
4. Sri M. Sudhakara Reddy, Inspector of Police, Anti-Corruption Bureau, Tirupati Range, Tirupati. (Investigating Officer)
5. The Excise Supdt., of Proh. And Excise, Chittoor.
6. The Dy. Commercial Tax Officer and Administrative Officer, IntegratedCheck Post, Naraharipeta, Chittoor District.

PEEYUSH KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED:: BY ORDER//

SECTION OFFICER